

REMARKS

Claim 1 remains pending in this application; Claims 2-16 have been added to this application.

In the Claims:

The Examiner rejected Claim 1 under 35 U.S.C. § 102(b) as being anticipated by Birdwell (U.S. Patent No. 896,269). The Applicant respectfully traverses this rejection.


The Applicant's amended Claim 1 is directed to an adjustable mirror device having an elongated adjusting rod, a clamping assembly attached to the adjusting rod in a clamping manner, and a mirror assembly attached to the adjusting rod and slidable along the adjusting rod relative to the clamping mechanism. The Birdwell reference does not disclose a mirror assembly and a clamping assembly both being attached to an adjusting rod, wherein the mirror assembly is slidable along the adjusting rod relative to the clamping assembly. Instead, the Birdwell reference teaches a mirror assembly that is attached to a rod, but the mirror assembly of Birdwell is slidable relative to a pair of arms that are adapted to be placed over a user's shoulders so that the entire mechanism can be worn by the user and not a clamping assembly, as required in amended Claim 1. Further, the arms in the Birdwell reference are not attached to the rod in a clamping manner, but instead utilize a set screw that contacts the rod so as to secure the arms to the rod. Thus, the use of the set screw to secure the arms of Birdwell to the rod is different than the clamping mechanism being attached to the adjusting rod in a clamping manner, as required in amended Claim 1. Therefore, the Applicant submits that amended Claim 1 distinguishes over the prior art and reconsideration is respectfully solicited.

The Applicant has also added Claims 2-16, wherein Claim 2 is an independent claim. These claims distinguish over the prior art references cited by the Examiner because none of the references disclose a clamping assembly that includes first and second clamping members that are actuatable relative to each other so as to attach the clamping member, adjusting rod, and mirror assembly to a medical halo in a clamping manner.

SUMMARY

Pending Claim 1, as amended, is in condition for allowance, and new Claims 2-16 are likewise in condition for allowance. Applicant respectfully requests the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned attorney for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,



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